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Next 2 Page(s) In Document Denied

S 5932

## CONGRESSIONAL RECORD — SENATE

May 16, 1988

## NOT VOTING—S

Biden  
Rockefeller

Stafford  
Wallop

Wilson

So the motion to lay on the table amendment No. 2070 was rejected.

Mr. BUMPERS addressed the Chair.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. BUMPERS. Mr. President, I send an amendment to the desk, and I ask for its immediate consideration.

Mr. NUNN. Mr. President, may we have order? May we have order in the Senate?

The PRESIDING OFFICER. Senators will take their conversations, out of the well. Please cease audible conversations, so that we can hear the Senators seeking recognition.

Mr. NUNN addressed the Chair.

The PRESIDING OFFICER. The Senator from Arkansas sought recognition. The Chair informs the Senator that under the previous order, the business before the Chamber is the amendment of the Senator from North Carolina.

Mr. NUNN. Mr. President, will the Senator from Arkansas yield?

Mr. BUMPERS. I yield.

Mr. NUNN. Mr. President, we are working with the Senator from North Carolina and believe we will be able to get an amendment that will reflect a consensus, at least between the floor managers and the Senator from North Carolina, and I believe some members of the Foreign Relations Committee have been involved in that. I know that Senator Dobb has. We are still working on that, so I suggest that we temporarily lay that aside, without losing its right in the turn, and take up either the Domenici amendment or the Bumpers amendment. I do not think either will take a lot of time, although I may be wrong.

Perhaps the Domenici amendment could be handled in about 4 or 5 minutes. If the Senator from Arkansas will agree with that, his amendment can be taken up right after that, and then we can go to the Helms amendment.

The PRESIDING OFFICER. The Senator from Arkansas retains the floor.

Mr. BUMPERS. Mr. President, I ask unanimous consent that I be permitted to lay my amendment aside temporarily, in order to let the Senator from New Mexico offer his amendment, with the understanding that my amendment will be in order immediately after the disposition of that amendment.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The Senate will be in order, so that we can hear Senators seeking recognition.

Mr. DOLE. Mr. President, I will take 1 minute to comment on the vote. It was 68 to 27, which shows that an overwhelming number of Senators would like to vote on this issue, this

particular amendment by Senator D'AMATO.

I hope that between now and tomorrow morning at 10 o'clock, with a 68-to-27 vote—which I do not believe is a totally accurate reflection of the division in this body, but is fairly close—we would have a chance to vote up or down on the D'Amato amendment.

Mr. BUMPERS. Mr. President, was the unanimous-consent agreement accepted?

The PRESIDING OFFICER. The unanimous-consent agreement was accepted. No objection was heard.

Mr. PRYOR. Mr. President, would it be possible to ascertain from the Senator from Arkansas or the Senator from New Mexico whether either or neither of these amendments will require a rollcall vote?

Mr. BUMPERS. Mr. President, in answer to my colleague from Arkansas, I do not anticipate that at this time. I suppose something could go awry and it would require a rollcall.

Frankly, for the Members who are here, it is my present intention, based on the result of a colloquy between myself and the distinguished managers of the bill, to pull the amendment down after we debate it for a few moments.

Mr. PRYOR. I thank my colleague.

Mr. DOMENICI. Mr. President, I do not think mine will require a rollcall.

Mr. MURKOWSKI. Mr. President, I direct my question to the Senator from Georgia.

I have had a pending amendment on the Persian Gulf ready for a portion of Friday and all day today, requiring about 1 hour, equally divided. I have had assurances that that would be the next order of business at some point. But it is my understanding that the Senator from North Carolina is going to follow the Senator from Arkansas. Is that correct?

Mr. NUNN. I am sorry. I have been trying to carry on another conversation, and I apologize. Will the Senate restate the question?

The PRESIDING OFFICER. If the Senator will suspend, let us try to achieve order, so that the Senator can be heard when he asks his question.

Mr. MURKOWSKI. I direct my question to the floor manager. I have had a Persian Gulf resolution pending and notified him that it was going to be the order of business at some point during the day. It was agreed that 1 hour would be divided equally. In order to expedite the calendar, I want to be sure that the floor leader is aware of that and that it is somewhere in the offing, prior to 10 o'clock tomorrow morning.

Mr. NUNN. I say to the Senator from Alaska that I am familiar with the amendment, but the amendment has not been agreed to. It will require debate, and I imagine that it will require a rollcall vote.

I suggest that the Senator not move very far from the Chamber, because we have three or four matters that

may not take very long; and perhaps within 20 or 25 minutes—say, around 5:30—we will be able to take up the Senator's amendment. I do not believe it is under a formal time agreement, although the Senator has offered 1 hour, and I hope we can stay within that.

I do not manage the order, and the Senator will have to get recognized. I suggest that he come back in the next 20 or 25 minutes and see if we can get the amendment up later the afternoon.

Mr. MURKOWSKI. I thank the Senator.

## AMENDMENT NO. 2087

Mr. DOMENICI. Mr. President, I send an amendment to the desk, on behalf of myself and Senator BINGAMAN, my colleague, and ask for its immediate consideration.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

The Senator from New Mexico (Mr. DOMENICI), for himself and Mr. BINGAMAN, proposes an amendment numbered 2087.

Mr. DOMENICI. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

At the appropriate place in the bill, insert the following new section:

## SEC. — COORDINATION OF VERIFICATION POLICY AND RESEARCH AND DEVELOPMENT ACTIVITIES

Not later than June 30, 1989, the President shall submit a report to the Congress which includes a review of the relationship of the arms control objectives of the United States with the responsiveness of research and development of monitoring systems for weapons verification. Such review shall include but not be limited to the participation of the Departments of Defense, State and Energy, the Director of Central Intelligence, and the Arms Control and Disarmament Agency.

At a minimum, the report shall include the findings of the President, and such recommendations for improvement as the President shall deem appropriate, with respect to the following:

(a) the status of coordination in the formulation of U.S. arms control treaty verification policy;

(b) the status of efforts to ensure that arms control treaty verification policy is formulated in a manner which takes into account available technology for monitoring systems; and

(c) the status of efforts to insure that research and development on monitoring systems technology evolves in step with arms control treaty verification policy.

## COORDINATION OF VERIFICATION POLICY AND RESEARCH AND DEVELOPMENT ACTIVITIES

Mr. DOMENICI. Mr. President, the most important principle of any arms control agreement is improving national security. But arms control agreements cannot contribute to national security unless they can be effectively verified.

If we cannot be sure that arms control treaties are being adhered to, we are, in fact, jeopardizing that security.

May 16, 1988

## CONGRESSIONAL RECORD — SENATE

S 5933

The critical role played by verification explains why the intrusive verification measures written into the INF Treaty have attracted so much attention.

That is also why the Senate has been unwilling to take up that treaty until all of the important verification provisions in the treaty have been agreed upon by both parties to the agreement.

The confusion surrounding the verification provisions of the INF Treaty makes it clear that we must not repeat the mistakes involved in the INF negotiation process.

The new interest in verification resulting from the signing of the INF Treaty has produced a new form of nuclear proliferation, a proliferation of Government offices with the word verification in their title.

I agree that verification research and development is more important now than it has ever been, and I'm sure all Members of the Senate agree that we need to do a better job in this critical area.

I am privileged to have within the borders of my State two organizations which have been at the forefront of verification research and technology for many years. I am speaking of the two national laboratories in New Mexico, at Sandia and Los Alamos.

I would recommend to my fellow Senators that they visit the DOE lab at Sandia and take a look at the perimeter portal monitoring system which was developed and set up there. This is the design which will be deployed in the Soviet Union to assist in monitoring the INF Treaty.

Some of the scientists at Sandia believe that the Soviets may even be interested in purchasing or borrowing this same state of the art verification technology.

I am in favor of verification research and development at the national laboratories and in other parts of the Government. But I am concerned that the effort is not well coordinated, especially as more resources are put into this area and more bureaucratic players get into the game.

I think that we are in danger of overdriving our headlights by letting the State Department's interest in arms control agreements outrun our abilities to verify those agreements.

Let me give an example of what we are up against here. Last January the Defense Science Board in the Pentagon established a task force to study the verification procedures for the START Treaty.

This task force, staffed by well qualified people, completed its report this month. I expect that it will make a valuable contribution to our ability to verify a START Treaty.

But I remind my colleagues that the State Department began negotiating a START agreement 6 years ago.

Yet, here we are, 6 years after we began negotiating a START agreement, undertaking a study to deter-

mine how we can best verify it. This is putting the arms control cart before the verification horse.

We must take steps now to insure that our arms control objectives are in line with our verification capabilities. And we must insure that we begin the verification research today for the arms control agreements which may be important to us in the future.

The amendment which I offer addresses this lack of coordination between our arms control intentions and our verification capabilities. It also seeks to minimize the confusion which may result from a mushrooming of new agencies all intent upon playing a role in the verification area.

This amendment requires the next President to carefully review our arms control objectives and to then determine what will be needed in order to verify the agreements which we will seek.

The President will also examine the coordination of our verification policy among the agencies involved in arms control and verification.

At a minimum, this review would require the participation of the Departments of State, Defense, and Energy, the Central Intelligence Agency, the Arms Control and Disarmament Agency and the National Security Council.

The President would be asked to offer recommendations for improving policy coordination among these organizations and linking our treaty objectives to our verification capabilities.

The findings of the President's review would be reported to the Congress not later than June 30, 1989.

Mr. President, I think that the floor manager and the ranking member have seen this amendment and that they have no objection.

The Intelligence Committee might have some jurisdiction in this matter, and both the chairman and the ranking member have been advised of this amendment. I do not believe they have any objection.

Mr. President, the new interest in verification resulting from the signing of the INF Treaty has produced a new form of nuclear proliferation, a proliferation of Government offices with the word "verification" in their title.

Essentially, what the Senator from New Mexico is asking is that the President of the United States, by June 30 of next year, report and recommend to the Congress of the United States a method of centralizing the activities of verification and the science of verification and relate that to policymaking that will involve the need for verification and verification science and technology.

Some of us are beginning to worry that our arms control negotiations get ahead of our verification technology, or vice versa, or that there is such a proliferation of verification research and technology that there is not a coordination as we move to enforcing

our activities, as a nation, in the field of verification.

Some of us are even concerned that policy is being made without knowing the extent to which verification technology has evolved, or the extent to which we will be unable to verify the agreements under negotiation.

This amendment is asking the President to look at it all and tell us how we ought to make more sense out of it and where it should be focused and where in the Government some body should be in charge of pulling it all together. That is essentially what it does.

Mr. NUNN. Mr. President, I think this is a good amendment.

The Senator is right, in the sense that we have to pull this verification together. We have to have more coordination.

It is not only part of the INF Treaty; but most of us concerned with the INF Treaty recognize that the reason it is important is that it is a precedent for other treaties that will be much more militarily significant that the INF Treaty—for example, START and the conventional arms discussions which are underway.

Although I have resisted reports and think we have too many of them, I think this is a very important report and will focus not only on Congress, when we receive it, but also the administration, as they prepare in this area.

I recommend that the amendment be accepted.

Mr. WARNER. Mr. President, I join the chairman in his remarks and commend our distinguished colleague from New Mexico.

The PRESIDING OFFICER. Is there further debate?

Mr. DOMENICI. Mr. President, I thank the managers for their support.

I believe that this serves as a strong reminder to the executive branch that we should not find ourselves again in a situation where we have a treaty as important as the INF Treaty yet we find ourselves scurrying around to put together a team to do the verifying. We should not be in that position in the future.

For those who negotiate treaties, there should be one place where they can find out about the science of verification and where we are headed. We do not have that now.

I urge adoption of the amendment, and I yield back the remainder of my time.

Mr. NUNN. I yield back the time on this side.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 2087) was agreed to.

Mr. DOMENICI. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. BUMPERS. I move to lay that motion on the table.

S 5934

## CONGRESSIONAL RECORD — SENATE

May 16, 1988

**The motion to lay on the table was agreed to.**

## AMENDMENT NO. 2088

(Purpose: to limit the operational deployment of certain strategic offensive nuclear weapons systems and launchers)

Mr. BUMPERS. Mr. President, I have an amendment at the desk.

The PRESIDING OFFICER. The clerk will report the amendment.

The legislative clerk read as follows:

The Senator from Arkansas [Mr. BUMPERS] for himself and Mr. LEAHY, Mr. COHEN, Mr. CHAFEE, and Mr. HEINZ proposes an amendment numbered 2088.

Mr. BUMPERS. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

At the appropriate place in the bill insert the following:

SEC. LIMITATION ON DEPLOYMENT OF CERTAIN STRATEGIC NUCLEAR WEAPONS.

(a) **SHORT TITLE.**—This section may be cited as the "Strategic Nuclear Weapons Interim Restraint Act."

(b) **LIMITATION ON OBLIGATION OF FUNDS.**—Notwithstanding any other provision of law and subject to subsection (c), none of the funds appropriated pursuant to this or any other Act to or for the use of any department or agency of the Federal Government may be obligated or expended before September 30, 1989, to overhaul, maintain, operate or deploy more than—

(1) 820 launchers of intercontinental ballistic missiles equipped with multiple, independently targetable reentry vehicles;

(2) 1,200 launchers of intercontinental ballistic missiles equipped with multiple, independently targetable reentry vehicles and submarine launched ballistic missiles equipped with multiple, independently targetable reentry vehicle; or

(3) an aggregate total of 1,320 launchers of ballistic missiles described in clause (2) and heavy bombers equipped for air-launched cruise missiles;

(c) **EXCEPTIONS.**—(1) The limitation on the obligation and expenditure of funds in subsection (b) shall not apply if at any time more than 29 days after the date of enactment of this act the President determines and certifies to Congress that the Soviet Union deploys strategic forces in numbers greater than those specified in subsection (a). If the President makes such a determination, he shall submit to Congress a report that includes the information on which such determination was based. Such report shall be submitted in both classified and unclassified form.

(2) If at any time more than 29 days after the date of the enactment of this Act the President notifies Congress in writing that, based on the best agreed intelligence Community assessments, he is unable to make a certification under paragraph (1) or to make a certification that the Soviet Union deploys strategic forces in numbers at or below those specified in subsection (a), the limitation on the obligation and expenditure of funds in subsection (a) shall not apply for a period of 29 days after the date on which the notification is received by Congress.

(d) **NOTIFICATION OF PLANS FOR COMPLIANCE.**—Not more than 29 days after the date on which the President determines that funds are prohibited from being obligated or expended for the overhaul, maintenance, operation, or deployment of strategic offen-

sive nuclear weapons in excess of the numbers specified in subsection (b), the President shall notify Congress of his plans for actions to comply with the limitations specified in subsection (b).

(e) **NEW AGREEMENT.**—If a new agreement between the United States and the Soviet Union relating to the deployment of strategic offensive weapons becomes effective before September 30, 1989, the restriction on the obligation and expenditure of funds in subsection (b) shall cease to apply.

(f) **DEFINITIONS.**—For purposes of this section.

(1) The terms "launchers of intercontinental ballistic missiles equipped with multiple, independently targetable reentry vehicles" and "submarine launched ballistic missiles equipped with multiple independently targetable reentry vehicles" mean launchers of the types developed and tested for launching intercontinental ballistic missiles and submarine launched ballistic missiles equipped with multiple, independently targetable reentry vehicles.

(2) The term "air launched cruise missiles" means unmanned, self propelled, guided, weapon delivery vehicles which sustain flight through the use of aerodynamic lift over most of their flight path and which are flight tested from or deployed on aircraft.

(g) **SALT II COMPLIANCE AMENDMENT.**—Notwithstanding any other provision of law, the United States shall not be obligated to abide by the provisions of the SALT II Treaty, in whole or part, unless and until the following have occurred:

(1) The Senate has amended the Treaty so as to give it legal force if it were ratified;

(2) The Senate has given its advice and consent to the Treaty;

(3) The Union of Soviet Socialist Republics has agreed to all amendments, reservations and understandings upon which the Senate's advice and consent is conditioned.

(4) Each party has ratified the Treaty in accordance with its own constitutional processes.

The PRESIDING OFFICER. The Senator from Arkansas.

Mr. BUMPERS. Mr. President, the other day we voted on an amendment that Senators LEAHY, HEINZ, CHAFEE, and I offered on interim restraint to try to keep the arms race under control pending the adoption of a START Treaty and the consideration of such a treaty by the Senate.

The amendment was crafted differently from the way we approached it last year, and unhappily the amendment was defeated, 51 to 45.

So, the amendment at the desk is precisely word for word the amendment we adopted last year, including the so-called Dole-Warner language which said that this amendment would in no way affect the SALT II Treaty or, better said, that this was not in any way a ratification or approval of the SALT II Treaty.

I am perfectly happy to add the Dole-Warner language to my amendment—it was added last year—because that is not my intent. My intent is simply to point out to the Members of this body that as strongly as I favor the INF Treaty, we should bear in mind that the INF Treaty only will remove about 350 warheads from Western Europe on behalf of the United States, yet we have already

added 500 warheads to our long range nuclear arsenal since the INF Treaty was signed last December.

It is nuclear madness for both sides to just continue adding unneeded nuclear warhead on top of unneeded nuclear warhead. It is a form of nuclear idolatry, which is insane.

So all I want is to say let us try to keep some kind of cap on the arms race pending the happy day that we can get a START agreement and possibly reduce the number of warheads by 50 percent.

I have discussed this amendment with the floor managers and, incidentally, I offer this amendment on behalf of Senators LEAHY, COHEN, CHAFEE, and HEINZ.

I hope that it will not be necessary to force a rollcall vote on this. It is not my intention. But I discussed this with the distinguished Senator from Georgia and the floor manager of this bill pursuant to his statement on the floor the other day that he approved of the goals of what we were trying to accomplish. I hope that he and I might engage in a colloquy as to what he might expect to happen when we go into the conference with the House on this item, and the House has already approved rather strongly, by a 240-to-174 vote, language almost identical to this amendment.

So, I would hope that even though the Senate does not make a rollcall vote on this, that the distinguished chairman of the Armed Services Committee would agree with me that interim restraint makes a lot of sense.

Mr. NUNN. Mr. President, I would completely agree with the Senator from Arkansas.

I would hope we get a START agreement. I hope we get a START agreement during the Reagan administration, but I am not at all certain that we are going to be able to accomplish that goal, particularly those of us who feel so strongly as I think most Members of this body do, that we have to iron out the details. We have just gone through an INF debate where they spent a long period of years debating it and discussing it, and they still did not reach an agreement that did not have to have great scrutiny and did not have some problems, which we have just gone through.

My point is this: We have no certainty whatsoever that we are going to get a START agreement in this administration any time soon. We hope we do but we are not certain of that.

I believe interim restraint is very important. I think the administration—this is speaking only for myself; I do not speak for the committee on this; there are differing views—I think that the administration made a mistake in not continuing the interim restraint regime.

Last year in the conference we debated this with the House. We had a three-way negotiation with the administration. We finally concluded that we

H 5240

## CONGRESSIONAL RECORD — HOUSE

July 7, 1989

intend the statement on not limiting non-nuclear cruise missiles to restrict, for example, our ability under a future START agreement to mark a cruise missile so as to be able to distinguish between a conventional and nuclear cruise missile.

*Sense of Congress concerning the role of Congress in arms control and defense policy (sec. 903)*

The House amendment contained a provision (sec. 959) that would express the sense of Congress that although Congress has a constitutionally defined role to play in arms control and nuclear testing policy, it should not usurp, undermine, or in any other way interfere with the constitutionally defined powers of the President to negotiate and implement such policies.

The Senate amendment contained no similar provision.

The Senate recedes with an amendment expressing the sense of Congress that the Congress, in exercising its constitutional authority to raise and support the Armed Forces and, in the case of the Senate, to advise and consent to the ratification of treaties, has a role to play in arms control and defense policy, but the Congress should not usurp, undermine, or interfere with the constitutional authority of the President to negotiate and implement treaties, especially treaties affecting U.S. arms control and defense policy.

*Sense of Congress on the five-year ABM treaty review (sec. 904)*

The Senate amendment contained a provision (sec. 948) that would express the sense of Congress that the President should, without any further delay, propose an early date to conduct the overdue five-year review of the Antiballistic Missile (ABM) Treaty.

The House bill contained no similar provision.

The House recedes with an amendment changing the findings by the Senate contained in the Senate provision to findings by the Congress.

*Annual report on Soviet compliance with arms control commitments (sec. 905)*

The Senate amendment contained a provision (sec. 912) that would amend the annual report on Soviet arms control compliance required pursuant to the fiscal year 1988 Defense Authorization Act (Public Law 99-145) to require the President to include additional information in the report, including what measures the President is taking to bring the Soviet Union into compliance and, in the event the President should issue two consecutive reports in which he cannot certify full Soviet compliance with all current arms control agreements, the actions necessary to compensate for such violations.

The House bill contained no similar provision.

The House recedes.

*Annual report on arms control strategy (sec. 906)*

The Senate amendment contained a provision (sec. 913) that would require a new annual report to the Congress by the President containing a comprehensive discussion and analysis of U.S. arms control strategy.

The House bill contained no similar provision.

The House recedes with an amendment making minor revisions in the text of the provision.

*Study and report on Soviet ABM capability and activities (sec. 907)*

The Senate amendment contained a provision (sec. 924) that would require a report to Congress by the President not later than October 1, 1989 regarding the Antiballistic Missile (ABM) capability and activities of the Soviet Union.

The House bill contained a similar provision (sec. 937) that would require an identical report, but to be submitted by the Secretary of Defense not later than 60 days after the enactment of this Act.

The House recedes with an amendment making minor revisions in the Senate provision and requiring submission of the report not later than January 1, 1989.

*Analysis of alternatives U.S. strategic nuclear force postures under START (sec. 908)*

The Senate amendment contained a provision (sec. 939) that would require a report to Congress by the President on the implications of a potential Strategic Arms Reductions (START) Treaty for alternative U.S. force postures in the 1990's.

The House bill contained no similar provision.

The House recedes with an amendment making a minor revision in the provision.

*On-Site Inspection Agency (sec. 909)*

The House bill contained a provision (sec. 953) that would require certain Executive Branch officials to submit reports to designated congressional committees describing their responsibilities with regard to the monitoring and verification of arms control agreements. The provision further required that any request submitted to Congress by the Executive Branch for the enactment of budget authority for the On-Site Inspection Agency (OSIA), or for the enactment of any other legislation concerning OSIA, be submitted separately from any other request for the enactment of budget authority or other legislation.

The Senate amendment contained a provision (sec. 954) that would express the sense of Congress relating to personnel strengths for on-site inspection purposes.

The Senate recedes with an amendment which retains the House provision's reporting requirement but changes the budget request subsection in the House provision to require that any request submitted to the Congress for an authorization for OSIA appropriations provide details of all funding and military and civilian personnel requested for that Agency for that fiscal year, including the number of DOD and other agency personnel that will be assigned to on-site inspection activities and support of such activities.

*Coordination of verification policy and R&D activities (sec. 910)*

The Senate amendment contained a provision (sec. 950) that would require a report to Congress by the President reviewing the relationship of U.S. arms control objectives with the responsiveness of research and development of monitoring systems for weapons verification.

The House bill contained no similar provision.

The House recedes with an amendment making minor revisions in the provision.

*Limitation on deployment of certain strategic nuclear weapons.*

The House bill contained a provision (sec. 935) that set in permanent law limits of 820 on launchers of MIRVed ICBMs, 1200 on launchers of MIRVed ICBMs and SLBMs, 1320 MIRVed ICBMs, SLBMs, and ALCM equipped bombers, and the number of MIRVs on individual ballistic missiles, unless the President certifies to Congress that the Soviet Union has exceeded these limits.

The Senate amendment contained no similar provision.

The conferees agree to delete the House provision. The conferees note that decisions taken for budgetary reasons elsewhere in the bill will have the effect of stabilizing U.S. strategic forces during fiscal year 1989

at roughly the level maintained during fiscal year 1988.

The conferees believe that maintaining interim restraint in strategic offensive force levels is not only prudent in light of current budget realities, but also consistent with the recent progress in the START negotiations and the continuing Soviet practice of retiring older ICBMs and SLBMs prior to the end of their normal service life. Assuming that progress continues to be made in START and that the Soviet Union continues early retirements of ICBMs and SLBMs, it would be the intent of the conferees to take such actions as may be required to maintain U.S. and Soviet interim restraint, including the option of foregoing the overhaul of additional Poseidon-class submarines nearing the end of their normal service life.

*Sense of Congress on implications of INF for NATO*

The House bill contained a provision (sec. 952) that would express the sense of Congress on a number of issues related to the implications of the Intermediate-range Nuclear Forces (INF) Treaty for NATO and on other arms control issues.

The Senate amendment contained no similar provision.

The House recedes.

*Missile technology control regime*

The Senate amendment contained a provision (sec. 934) that would express the sense of the Senate that the Secretary of Defense should provide by July 30, 1988 the report specifying personnel requirements to implement the Missile Technology Control Regime Policy that was mandated by the fiscal years 1988/1989 Defense Authorization Act (sec. 901). The provision would also state that Department of Defense personnel deficiencies which prevent effective performance of missile technology control responsibilities be rectified as soon as possible, using temporary duty assignments if deemed necessary.

The House bill contained no similar provision.

The Senate recedes. The conferees are concerned about the inaction of the Department of Defense on Section 901 and urge the Department to comply with the provisions of the Act. In the past year, the number of countries that have acquired ballistic missiles or have actually used them in combat has increased significantly. Both the Secretary of Defense and the Secretary of State have expressed concern about the proliferation of missiles covered by the Missile Technology Control Regime. The conferees believe it is imperative that the Secretary of Defense file the requested report as soon as possible but not later than July 30, 1988. It is the conferees' expectation that Department of Defense personnel deficiencies which prevent effective performance of missile technology control responsibilities will be rectified as soon as possible, using temporary duty assignments if necessary.

**TITLE X—MATTERS RELATING TO NATO COUNTRIES AND OTHER ALLIES**

**LEGISLATIVE PROVISIONS**

**LEGISLATIVE PROVISIONS ADOPTED**

*Acquisition and cross-servicing agreements with allied countries (sec. 1001)*

The Senate amendment contained a provision (sec. 914) that would raise the ceiling from \$100 million to \$200 million on acquisitions by the United States under the authority of the NATO Mutual Support Act of 1979.

The House bill contained no similar provision.



July 7, 1988

## CONGRESSIONAL RECORD — HOUSE

H 5083

deployments of traditional engagement radar.

(4) The ability of air defense interceptor missiles of the Soviet Union, now and in the future, to destroy warheads of ballistic missiles in flight.

(5) Whether silos or other hardened facilities of the Soviet Union located outside of the existing antiballistic missile site permitted near Moscow under the terms of the 1972 Antiballistic Missile Treaty are or could be associated with antiballistic missile defenses not permitted under that Treaty.

(6) Whether the Soviet Union is developing terminal antiballistic missile defenses.

(7) Whether the existing antiballistic missile site near Moscow that is permitted under the terms of that Treaty conceals or could conceal development, testing, or deployment by the Soviet Union of a widespread antiballistic missile system.

(8) Activities of the Soviet Union regarding boost-phase intercepts of ballistic missiles.

(9) The status of laser programs, particle-beam programs, and other advanced technology programs of the Soviet Union comparable to programs conducted by the United States under the Strategic Defense Initiative.

(10) The consequences for the United States of a successful effort by the Soviet Union to deploy an effective nationwide or limited antiballistic missile system.

(b) ASSESSMENT OF ABILITY OF UNITED STATES TO COUNTER A SOVIET ABM SYSTEM.—In conducting the study required by subsection (a), the President shall also assess the ability of the United States to counter effectively an effective antiballistic missile system deployed by the Soviet Union. Such assessment shall consider both the deployment by the Soviet Union of a nationwide, and of a limited, antiballistic missile system. In assessing the ability of the United States to counter effectively such a system, the President—

(1) shall consider the ability of the United States to modify (A) existing strategic offensive forces (including modifications involving the development of additional penetration aids), and (B) current strategic doctrine and tactics; and

(2) shall consider whether the actions of the United States described in paragraph (1) could be accomplished over the same period of time that the Soviet Union would require to deploy such an antiballistic missile system.

(c) REPORT.—Not later than January 1, 1989, the President shall submit to Congress a report, in both a classified and an unclassified version, specifying the results of the study conducted pursuant to this section. The report shall include such recommendations as the President considers appropriate, including recommendations with regard to maintaining the deterrent value of the strategic forces of the United States in light of the antiballistic missile capability and activities of the Soviet Union described in the report.

SEC. 308. ANALYSIS OF ALTERNATIVE STRATEGIC NUCLEAR FORCE POSTURES FOR THE UNITED STATES UNDER A POTENTIAL START TREATY

(a) FINDINGS.—Congress makes the following findings:

(1) The United States and the Soviet Union are currently engaged in talks regarding the reduction of strategic nuclear arms.

(2) Such talks could result in a treaty requiring deep reductions in the strategic forces of the United States.

(3) Any such Strategic Arms Reduction Treaty (START) cannot be ratified without the advice and consent of the Senate.

(4) Any such START Treaty should result in a stable balance of strategic forces be-

tween the United States and the Soviet Union which enhances the security of the United States.

(5) Congress should provide funds for the forces permitted under such a treaty that are required to ensure the stability of the force balance under such a treaty.

(6) Congress faces critical resource choices for fiscal year 1989 and subsequent fiscal years, and the resource choices made by Congress for those years could substantially influence the strategic force posture of the United States in the period after such a treaty goes into effect.

(b) PRESIDENTIAL REPORT.—Before entering into any Strategic Arms Reduction Treaty or other agreement with the Soviet Union for the reduction of strategic arms, but not later than September 15, 1989, the President shall submit to Congress a comprehensive report on the implications such a treaty or agreement might have on the strategic force postures of the United States during the 1990s. The report shall include the following:

(1) A description of alternative force postures that might be permitted for the United States under such an arms reduction agreement, including the posture recommended by the President.

(2) The estimated costs, over at least a seven-year period, associated with each alternative force posture.

(3) The damage limitation capability, the survivability, and the retaliatory potential of such force posture, and the implications for strategic stability, assessed with regard to the likely force postures of the Soviet Union under such an agreement and the first-strike potential of such force postures.

(4) The likely effect of a breakout by the Soviet Union from such an arms control agreement on the survivability and of the force posture of the United States under such an agreement recommended by the President under paragraph (1).

(c) FORM OF REPORT.—The President shall submit the report under subsection (b) in both classified and unclassified form.

SEC. 309. ON-SITE INSPECTION AGENCY

(a) REPORT REQUIREMENTS.—(1) Not later than six months after the date of the enactment of this Act, the officers named in paragraph (2) shall each submit to the Committee on Armed Services, the Committee on Foreign Affairs, and the Permanent Select Committee on Intelligence of the House of Representatives and the Committee on Armed Services, the Committee on Foreign Relations, and the Select Committee on Intelligence of the Senate an unclassified report, with classified annexes as necessary, on the responsibility of each such officer for the monitoring and verification of arms control agreements. Each such report—

(A) shall address specifically any responsibility the officer submitting the report has with respect to on-site inspections (whether inspections of facilities of the United States or inspections of facilities of another party to the agreement); and

(B) shall set forth the organizational elements of each department or agency over which the officer submitting the report has jurisdiction which have functions related to the monitoring or verification of arms control agreements.

(2) Officers referred to in paragraph (1) are the following:

(A) The Secretary of Defense.

(B) The Secretary of State.

(C) The Director of Central Intelligence.

(D) The Director of the United States Arms Control and Disarmament Agency.

(b) MATTERS TO BE INCLUDED.—Each report under subsection (a) shall—

(1) describe in detail the monitoring and verification activities carried out with respect to the INF Treaty,

(2) evaluate the effectiveness with which these functions have been implemented, and

(3) include recommendations for any future organizational or policy changes that may be necessary in view of the experience of implementing the INF Treaty.

(c) INF TREATY DEFINED.—For purposes of subsection (b), the term "INF Treaty" means the Treaty Between the United States of America and the Union of Soviet Socialist Republics on the Elimination of Their Intermediate-Range and Shorter-Range Missiles (signed at Washington on December 9, 1987).

(d) BUDGET REQUESTS.—Any request submitted to Congress by the Executive Branch for authorization of appropriations for the On-Site Inspection Agency for any fiscal year shall, as a separate activity, provide details of all funding and of all military and civilian personnel requested for that Agency for that fiscal year, including the number of such personnel of the Department of Defense and other agencies that will be assigned to on-site inspection activities and to support such activities during that fiscal year.

SEC. 310. COORDINATION OF VERIFICATION POLICY AND RESEARCH AND DEVELOPMENT ACTIVITIES

(a) REPORT.—Not later than June 30, 1989, the President shall submit to Congress a report reviewing the relationship of arms control objectives of the United States with research and development of improved monitoring systems for arms control verification. The review shall include the participation of the Secretaries of Defense, State, and Energy, the Director of Central Intelligence, and the Director of the United States Arms Control and Disarmament Agency.

(b) FINDINGS AND RECOMMENDATIONS.—The report shall include the findings of the President, and such recommendations for improvements as the President considers appropriate, with respect to the following:

(1) The status of coordination among the officers named in subsection (a) in the formulation of the policy of the United States regarding arms control verification.

(2) The status of efforts to ensure that such policy is formulated in a manner which takes into account available monitoring technology.

(3) The status of efforts to ensure that research and development on monitoring technology evolves concurrently with such policy.

TITLE X—MATTERS RELATING TO NATO COUNTRIES AND OTHER ALLIES

SEC. 1001. INCREASE IN ANNUAL DOLLAR LIMITATION ON ACQUISITION AND CROSS-SERVICING AGREEMENTS WITH ALLIED COUNTRIES

Section 2347(a)(1) of title 10, United States Code, is amended by striking out "\$100,000,000" and inserting in lieu thereof "\$150,000,000".

SEC. 1002. AUTHORITY TO WAIVE SURCHARGES ON CERTAIN SALES TO NORTH ATLANTIC TREATY ORGANIZATION

Section 21(e) of the Arms Export Control Act (22 U.S.C. 2781(e)) is amended by adding at the end the following:

"(3)(A) The President may waive the charges for administrative services that would otherwise be required by paragraph (1)(A) in connection with any sale to the Maintenance and Supply Agency of the North Atlantic Treaty Organization in support of—

"(i) a weapon system partnership agreement; or

"(ii) a NATO/SHAPE project.

"(B) The Secretary of Defense may reimburse the fund established to carry out section 43(b) of this Act in the amount of the charges waived under subparagraph (A) of